

1                                   BEFORE THE  
2                                   ILLINOIS COMMERCE COMMISSION  
3       IN THE MATTER OF:           )  
  )  
4       DIVERSE COMMUNICATIONS,    )  
      INC.                            )  
5                                    ) No. 00 -0324  
      Application for an            )  
6       extension of certificate    )  
      of service authority to      )  
7       provide local exchange      )  
      telecommunication            )  
8       service in GTE's Alpha      )  
      Exchange on a facilities      )  
9       and resold basis             )

10                                   Chicago, Illinois

11                                   June 15, 2000

12                                   Met, pursuant to notice, at

13       2 o'clock p.m.

14       BEFORE:

15               MS. CLAUDIA SAINSOT,  
                 Administrative Law Judge

16       APPEARANCES:

17               LOEWENSTEIN, HAGEN & SMITH, by  
18               MR. GARY SMITH (via telephone)  
                 1204 Southport Street  
19               Springfield, Illinois 62703  
                  appearing for Diverse Communications,  
20               Inc.;

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22

1        APPEARANCES (Cont'd.):

2            MR. ROBERT KOCH (via telephone)

3            527 East Capitol Avenue

4            Springfield, Illinois

5            appearing for the Illinois Commerce

6            Commission;

7            MS. CINDY JACKSON (via telephone)

8            527 East Capitol Avenue

9            Springfield, Illinois

10           appearing for Illinois Commerce

11           Commission.

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19        SULLIVAN REPORTING COMPANY, by

20        PATRICIA WESLEY, CSR, RPR

21        License No. 084-002170

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I N D E X

Witnesses:	Direct	Cross	Re - direct	Re- cross	By Examiner
GEORGE					
WIRTH					

E X H I B I T S

Petitioner's	For Identification	In Evidence.
Nos. 1		
2		

1 (Whereupon, Petitioner's  
2 Exhibit Nos. 1 & 2 were  
3 marked  
4 for identification.)

5 JUDGE SAINSOT: By the authority vested in me by  
6 the Illinois Commerce Commission, I now call Case  
7 No. 00-0324, which is Diverse Communications, Inc.,  
8 and it is an application for an extension of a  
9 certificate of service authority to provide local  
10 telecommunication service in GTE 's Alpha Exchange on  
11 a facilities and resold basis.

12 Will the parties state their names, and  
13 addresses and phone numbers for the record, please.

14 MR. SMITH: Judge, my name is Gary Lloyd Smith.  
15 My business address is 1204 Southport Street,  
16 Springfield, Illinois, 62703. I'm an attorney  
17 licensed to practice law in Illinois and I'm  
18 appearing on behalf of the applicant, Diverse  
19 Communications, Inc.

20 MR. KOCH: On behalf of staff, Illinois Commerce  
21 Commission, Robert Koch, K-o-c-h, Telecommunications  
22 Division, Illinois Commerce Commission, 527 East

1 Capitol, Springfield, Illinois. My telephone number  
2 is 217-524-7911.

3 MS. JACKSON: And on behalf of staff, Cindy  
4 Jackson, Illinois Commerce Commission, 527 East  
5 Capitol Avenue, Springfield, Illinois. My phone  
6 number's 217-672-7663.

7 JUDGE SAINSOT: Okay. Mr. Smith, since you  
8 represent the petitioner, would you like to proceed.

9 MR. SMITH: Yes. We are ready to proceed.

10 JUDGE SAINSOT: Do you have a witness?

11 MR. SMITH: I do. I have Mr. Wirth here.

12 JUDGE SAINSOT: Mr. Wirth?

13 MR. WIRTH: Yes.

14 (Witness sworn.)

15 JUDGE SAINSOT: Okay. You can proceed.

16 MR. SMITH: Thank you.

17 GEORGE WIRTH,  
18 called as a witness herein, having been first duly  
19 sworn, was examined and testified as follows:  
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1 DIRECT EXAMINATION

2 BY

3 MR. SMITH:

4 Q. Please state your name, George.

5 A. George Wirth, First Communications.

6 Q. And what is your position with the company?

7 A. General manager.

8 Q. Mr. Wirth, let me hand you now what I

9 presume has been marked by the court reporter as

10 Applicant's Exhibit 1. It's prefiled testimony.

11 Have you seen that before today?

12 A. Yes, I have.

13 Q. And if I were to ask you the questions set

14 forth on that Exhibit 1, would your answers there be

15 the same?

16 A. Yes.

17 Q. Mr. Wirth, let me also hand you Exhibit 2,

18 which consists of a warranty deed, a financial

19 statement of Diverse Communications' Articles of

20 Incorporation, and an Illinois Commerce Commission

21 order. Have you seen those documents before?

22 A. Yes.

1 Q. All right. Now with regard to the Exhibit  
2 2, the deed, can you identify what that document is  
3 for the record?

4 A. That is just our ownership in the building,  
5 meaning our --

6 Q. "Our" meaning Diverse?

7 A. Diverse -- excuse me. Yes.

8 Q. So Diverse has purchased a building in  
9 Alpha?

10 A. Correct.

11 Q. What is the building to be used for?

12 A. That will be where our remote switch will be  
13 located for the Alpha Exchange.

14 Q. And that will be to provide local service on  
15 a facilities-basis in Alpha; is that correct?

16 A. That is correct.

17 Q. Now referring further in Exhibit 2 to the  
18 financial statement of the company, is that the most  
19 recent financial statement of Diverse?

20 A. Yes, it is.

21 Q. And since the preparation of that financial  
22 statement, has there been any substantial change in

1 the company's financial position?

2 A. No.

3 Q. Up to today, Diverse's financial --  
4 financial assets for -- are in that financial  
5 statement?

6 A. Yes, that is correct.

7 Q. With regard to Exhibit 2 or the portions  
8 referred to in the Articles of Incorporation of  
9 Diverse, is Diverse an Illinois corporation?

10 A. Yes, it is.

11 Q. And is that an accurate copy of the Diverse  
12 Articles of Incorporation?

13 A. Yes.

14 Q. Is the company in good standing with the  
15 Illinois Secretary of State?

16 A. Yes, it is.

17 Q. Now with regard to the last portion  
18 of Exhibit 2, an Illinois Commerce Commission order  
19 -- no, wait a second while I find my copy of it --  
20 did Diverse previously receive a Certificate of  
21 Service Authority from this Commission to provide  
22 local exchange service in the Alpha Exchange?



1       A.    Yes, it did.

2       Q.    And within two years after the issuance of  
3   that certificate, was the company able to provide  
4   service to the public? Do you remember the  
5   question? Would you give the answer to the court  
6   reporter, please.

7       A.    No, we were not able to provide service.

8       JUDGE SAINSOT: Mr. Wirth, you may have to talk  
9   just a little bit louder --

10      THE WITNESS: Okay.

11      JUDGE SAINSOT: -- or speak up. Excuse my  
12   English.

13      THE WITNESS: I'm talking in the handset. I'll  
14   try to talk a little louder. I'm not on the speaker  
15   phone.

16      JUDGE SAINSOT: Would you explain why Diverse was  
17   not able to provide service within the two years  
18   after the Commission certificate?

19      THE WITNESS: Sure. Well, our initial -- we  
20   wanted to purchase the Alpha Exchange from GTE, but  
21   our efforts to purchase GTE through that exchange  
22   were never accepted by GTE; therefore, we felt our

1 own means of getting into Alpha was the CLEC route,  
2 and we already have a presence with our First  
3 Communications with the cable TV provider, so we  
4 went the CLEC route.

5           After we got started with the CLEC route,  
6 GTE was interested in selling off some exchanges and  
7 Alpha's part of the group that they were interested  
8 in selling off, that we thought, well, we might have  
9 another shot at buying this even though we already  
10 applied and received our CLEC status. So we joined  
11 some other independent telephone companies in  
12 performing a group, which they were going to try to  
13 purchase the Illinois properties because GTE wanted  
14 to sell it off as a group and not as individual  
15 pieces. Our efforts there died off.

16           As we went forward, we just didn't see  
17 that we were going to be able to purchase it, so --

18       Q.   Am I correct that you attempted to purchase  
19 the Alpha Exchange from GTE and those efforts were  
20 unsuccessful?

21       A.   That's true.

22       Q.   And, in that case, Woodhall Telephone

1 Company --

2 A. That's true.

3 Q. -- Woodhall is the --

4 A. Parent company.

5 Q. Of Diverse?

6 A. That's correct.

7 Q. And so after two years there is some

8 question as to the actual viability of the

9 Certificate of Service Authority issued to Diverse;

10 is that correct?

11 A. That's correct.

12 Q. That's why you are reapplying in this case?

13 A. That is true.

14 Q. Calling your attention now to the

15 application, the amended application, this is

16 Question Number S (sic) which essentially asks if

17 the applicant has been denied a Certificate of

18 Service or has a certificate revoked or suspended in

19 any other jurisdiction or under any other name, do

20 you see that question?

21 A. Yes, I do.

22 Q. And the answer was no; is that correct?

1       A.     That is correct.

2       Q.     Can you explain that answer for the Hearing  
3 Examiner, please?

4       A.     Well, we just feel that after the two years  
5 that it has expired, therefore, we didn't feel it  
6 was revoked or suspended due to the fact we felt  
7 after the two years away it just expired, so,  
8 therefore, we were uncertain, so we were applying  
9 again.

10      Q.     Okay. But it appears that in -- under A,  
11 nomenclature, Diverse does not have a certificate  
12 from the Commission at this time and that's what you  
13 are seeking a Certificate of Service Authority for a  
14 local service today.

15      A.     That is true.

16      Q.     And has Diverse ever received any  
17 notification from the Illinois Commerce Commission  
18 that its certificate has been revoked or suspended  
19 in any way?

20      A.     No.

21      Q.     And the certificate --

22      JUDGE SAINSOT: I didn't hear that last answer.

1 THE WITNESS: No, it has not.

2 JUDGE SAINSOT: You can proceed, Mr. Smith.

3 Thank you.

4 MR. SMITH: Q No, it has not .

5 A. No, it has not.

6 MR. SMITH: I'm sorry. I'm a little quick with  
7 my questions. I apologize.

8 JUDGE SAINSOT: That's okay.

9 MR. SMITH: Q Referring to the last portion of  
10 Exhibit 2, the Commission order in 98-0054, you have  
11 seen that, is that correct, Mr. Wirth.

12 A. Yes.

13 Q. And you are essentially seeking the same  
14 relief from the Commission today that was given to  
15 Diverse in Docket 98-0054 reflected by this order in  
16 Exhibit 2; is that correct?

17 A. That is true, yes.

18 Q. Hence, the issuance of the order to Diverse  
19 in two years have lapsed. Can you explain for the  
20 Hearing Examiner what efforts Diverse has made up to  
21 this point to be prepared to provide local exchange  
22 service on a facilities-basis in the Alpha Exchange?

1       A.   Well, for that two years, I mean, it wasn't  
2   that we were not making efforts.  Our efforts were  
3   delayed due to the fact that we  
4   were -- like I said, we were trying to purchase the  
5   exchange, but after we felt that we could not  
6   purchase the exchange, we went ahead with our CLEC  
7   venture and we purchased the building in Alpha for  
8   our switch and we have the Woodhall Exchange to the  
9   Alpha exchange for connectivity to the switch back  
10  here.  We have purchased a remote switch that is in  
11  the alpha building that we have -- we had purchased,  
12  as a matter of fact, being installed.  We just  
13  started that there.

14               We have purchased our emergency generator  
15  batteries.  We have purchased our emergency  
16  generator outlet.  We have selected a contractor to  
17  start the placement of the Alpha cable in Alpha and  
18  we have found and received our CIC code Alpha or  
19  office prefix code.

20       Q.   How do you spell CIC --

21       A.   C-I-C.

22       Q.   -- for the court reporter?

1       A.    C-I-C.

2       Q.    Would you go ahead with your answer.

3       A.    We have received our office prefix code for  
4 Alpha.  We have an office billing code assigned to  
5 us.  We have filed a local tariff for Alpha and we  
6 have ordered our Alpha plan material, the cable  
7 terminus, and all the equipment for Alpha.

8       Q.    If the Commission sees fit to grant you a  
9 Certificate of Service Authority in this proceeding,  
10 what time frame do you estimate the company would be  
11 prepared to provide local service?

12      A.    My best guesstimate -- I think part of it,  
13 meaning what we have to do as far as selling the  
14 switch, getting the cable hooked up and everything,  
15 I think we're looking at the end of this year 2000.

16      Q.    And --

17      A.    And we would still be working with GTE or  
18 Citizens Utility, whoever it is, for connectivity.  
19 And depending upon how that -- how well that goes,  
20 it would be on-line by the end of the year, I would  
21 say would be early 2001.

22      Q.    When your company connectivity with GTE or

1 Citizens --

2 A. The interconnection agreement that seems to  
3 be formulated for us to have activity in their  
4 switch and cable between the two buildings.

5 JUDGE SAINSOT: Could you hold on for just a  
6 second, both of you, just one second.

7 MR. SMITH: Q From one company to  
8 another --

9 A I think she had a question.

10 JUDGE SAINSOT: Hold on. Hold on. I'm sorry.  
11 There was a lot of activity outside so I closed the  
12 door. It helps me hear you when I don't hear noise  
13 outside.

14 MR. SMITH: Sure.

15 (A brief pause.)

16 JUDGE SAINSOT: Could you continue.

17 MR. SMITH: Did you miss anything?

18 JUDGE SAINSOT: The last question and answer.

19 MR. SMITH: Q With regard to connectivity,  
20 Mr. Wirth, if one citizen in Alpha were to call  
21 another citizen in Alpha with two different  
22 companies, how would that work?



1       A.     That would be -- we would have to establish  
2     trunking between the two offices, the existing  
3     office and GTE and our office, and part of that  
4     interconnection is established.

5       Q.     That's what you mean by interconnectivity?

6       A.     Yes, that is correct.

7       Q.     Is that correct?

8       A.     Yes, that is correct.

9       Q.     Looking now at Exhibit 1, your prefiled  
10    testimony --

11      A.     Yes.

12      Q.     -- the fifth question asked who will be  
13    responsible for building and maintaining the 9 -1-1  
14    database.

15      A.     Yes.

16      Q.     For your local exchange customers, who is  
17    the individual who would be responsible for doing  
18    that?

19      A.     We have two individuals here that one would  
20    be Beverly Barton, another is Karen Goff, and  
21    they're here on a daily basis.

22      Q.     Spell that for the court reporter, that last

1 name.

2 A. B-e-v-e-r-l-y B-a-r-t-o-n. The other girl  
3 is Karen, K-a-r-e-n G-o-f-f.

4 JUDGE SAINSOT: Could you repeat that last name  
5 again for the court reporter.

6 THE WITNESS: The last name is Goff, G-o-f-f.

7 JUDGE SAINSOT: Thank you.

8 MR. SMITH: Judge, that concludes my direct  
9 questioning of this witness and I would move for  
10 admission of Exhibits 1 and 2.

11 JUDGE SAINSOT: Okay. Are there any objections  
12 from staff?

13 MS. JACKSON: No.

14 JUDGE SAINSOT: Okay. Your motion will be  
15 granted, counsel, Petitioner's Exhibit 1, which  
16 consists of really three documents, CLEC prefiled  
17 testimony/cross questions for 9-1-1 and also  
18 questions -- financial questions and, finally,  
19 standard testimony/cross questions that is admitted  
20 into evidence.

21 (Whereupon, Petitioner's

22 Exhibit No. 1 was received in

1 evidence.)

2 Then we have Group Exhibit B, which is --

3 MR. SMITH: You said group Exhibit B.

4 JUDGE SAINCOT: Excuse me. Group Exhibit 2,  
5 thank you -- it helps to keep -- just keep with one  
6 numbering system -- which is the Articles of  
7 Incorporation, an income statement, warranty deed,  
8 and, lastly, the order granting Diverse, so its  
9 petition for service authority in Case No. 98-0054,  
10 all those documents consist of Group Exhibit B,  
11 those will be admitted into evidence.

12 (Whereupon, Petitioner's Group  
13 Exhibit 2 was received  
14 in evidence.)

15 MR. SMITH: Thank you.

16 JUDGE SAINCOT: Group Exhibit 2.

17 MR. SMITH: Ms. Jackson, do you have any  
18 questions? Can I ask Ms. Jackson if she has any  
19 questions or if she would prefer me to ask further?

20 MS. JACKSON: I have got questions. If you want  
21 to ask them, that's fine.

22 MR. SMITH: I just didn't know what kind of

1 documentation you have with you.

2 MS. JACKSON: I brought everything with me.

3 MR. SMITH: Why don't you go ahead. Why don't  
4 you go ahead.

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1 CROSS EXAMINATION

2 BY

3 MS. JACKSON:

4 Q. Mr. Wirth, you requested a waiver of Part  
5 735.180. How will you insure that your customers  
6 are in some telephone directory?

7 A. We would include them in a directory that we  
8 already make for Woodhall and Alpha customers would  
9 be included in that particular directory.

10 Q. Okay. And the individuals are going to be  
11 operating Diverse Communications are they the same  
12 employees as Woodhall?

13 A. Yes, they are.

14 Q. So they have many years of  
15 telecommunications experience?

16 A. Yes, they do. It ranges from 32 years down  
17 to really -- down to three years, that myself I've  
18 been in the business for 27 years and have some  
19 other technicians with five years, one with three  
20 years. Our business office people have been with us  
21 approximate two years and the other business office  
22 girl is three years.

1 Q. Would you bill your customers on a monthly  
2 basis?

3 A. We will.

4 Q. And will the billing statements be detailed  
5 --

6 A. Yes, they will.

7 Q. -- and list all the services?

8 A. Yes. We'll use our -- the same billing  
9 company we use for Woodhall Telephone Company, CTG,  
10 to do that.

11 Q. And are there escalation procedures within  
12 the company for complaint resolution?

13 A. Yes, there are.

14 Q. Describe those?

15 A. Basic customer complaints would come in  
16 through our local phone number or a lot of them come  
17 through the door, people walk in. We would take  
18 that complaint and, in the case of trouble, trying  
19 to resolve it there. If it gets escalated to what  
20 we refer to as a "repeat case in trouble," it would  
21 be brought to my attention.

22 I would be involved with it as far as

1 getting the complaint resolved. If not -- we never  
2 had to, but we would refer them to the ICC if they  
3 couldn't get their complaint resolved.

4 Q. Can you give us the number in your  
5 application that it starts with? Area code of 309  
6 will that be a local call for your customers?

7 A. Yes, it's a local call.

8 Q Does your customers sign a letter of  
9 authorization prior to switching their service.

10 A. Yes, we would have them do that.

11 Q. Will they be using a third-party verifier?

12 A. I don't see that we would, no.

13 Q. Will you abide by all state and federal  
14 slamming and cramming laws?

15 A. Yes, we will.

16 Q. And will you implement written guidelines  
17 prior to providing local service to prevent slamming  
18 and cramping of consumers?

19 A. Yes, we would.

20 Q. Thank you.

21 MS. JACKSON: That's all my questions.

22 JUDGE SAINOT: Sure.

1 MR. SMITH: Sure.

2 JUDGE SAINSOT: Mr. Koch, do you have any  
3 questions?

4 MR. KOCH: Yes, I do, real quickly.

5 CROSS EXAMINATION

6 BY

7 MR. KOCH:

8 Q. Referring to your testimony, sir, at the  
9 fifth question on 9-1-1 of the database, you  
10 mentioned Beverly Barton and Karen Goff --

11 A. Yes.

12 Q. -- having responsibility for building and  
13 maintaining the database.

14 A. Right.

15 Q. Do you have contact information for them?

16 A. Yes, I do. It would be Diverse  
17 Communications, Inc., and their names -- the address  
18 is 246 Division Street, Woodhall, Illinois,  
19 309-334-2150, fax number.

20 JUDGE SAINSOT: Could you do the fax number  
21 again? I'm sorry.

22 THE WITNESS: 309-334-2989.



1 MR. KOCH: 334-2150. That's just gets us into  
2 the --

3 THE WITNESS: That's our business office number  
4 and repair.

5 MR. KOCH: Q Also, on that same page of your  
6 testimony, last question on the page is will your  
7 company propose -- require any network changes to  
8 any 9-1-1 system.

9 A. We will have to -- I would say we would have  
10 to add 9-1-1 trunks -- additional trunks.

11 Q. And will you be routing traffic into the  
12 Alpha Exchange to Woodhall?

13 A Yes. It would come back to Woodhall. We  
14 have an existing route that bills per month out in  
15 Cambridge (sic). That's where we would have -- I'm  
16 assuming we have to get that PSAP and add additional  
17 trunks.

18 MR. SMITH: When you "PSAP," could you explain  
19 that for the record, please?

20 THE WITNESS: The contact area where all 9-1-1  
21 traffic would go back to dispatch.

22 MR. KOCH: Q How do you spell PSAP.

1       A.    I don't know the exact acronym of it.  All  
2 it is it's an acronym.

3       Q     The call still remains in McHenry County.

4       A.    Yes, it is.

5       MR. KOCH:  No further questions.

6       MR. SMITH:  Thank you.

7       THE WITNESS:  Thank you.

8       JUDGE SAINSOT:  I just have a few little things  
9 maybe for the record.

10                   EXAMINATION

11                   BY

12                   JUDGE SAINSOT:

13       Q.    Could you explain what Alpha Exchange is  
14 just so I'm sure everyone knows that's here?

15       A.    What the Alpha Exchange is?

16       Q.    Right.

17       A.    Alpha is approximately 550 telephone  
18 customers in Alpha.

19       Q.    Is it a telephone exchange?

20       A.    It is currently a GTE exchange.

21       Q.    Could you repeat your answer against.

22       A.    Yes.  It's about 550 customers in that

1 exchange. It's a GTE Exchange. It orders that  
2 western side of the Woodhall Telephone Company  
3 Exchange. It is the Alpha and Woodhall line  
4 compromise the Alwood School District.

5 Q Could you repeat. Alwood is that what you  
6 said?

7 A A-l-w-o-o-d School District.

8 Q I noticed on the amended application that  
9 the officers of Diverse also have ownership in the  
10 Woodhall Telephone Company. Have there been any  
11 complaints against Woodhall that you know of.

12 A None.

13 Q. Okay. Does Woodhall intend to have  
14 operator-assisted phone services?

15 A. Does Diverse?

16 Q. Does Diverse. I'm sorry.

17 A. We plan on having -- I misunderstood your  
18 question I think.

19 Q. I always have trouble saying  
20 operator-assisted. I don't know why.

21 Does Diverse intend to provide  
22 operator-assisted telephone --

1       A.    Yes, we do.

2       Q.    -- services?

3               Will it have rates available on request

4 without charge?

5       A.    Yes, we would.

6       Q.    Will the operator service providers identify

7 themselves prior to the call being completed?

8       A.    Yes.

9       Q.    Will the customer be able to access the

10 operator service provider of their choice when it's

11 feasible?

12       A.    Yes.

13       Q.    Will the customer be able -- well, you would

14 be the local exchange carrier, wouldn't you?

15       A.    We would be one of the local carriers.

16       Q.    Would the customer have access to the

17 Emergency Telephone Number services --

18       A.    Yes.

19       Q.    -- in the area?

20       A.    Yes.

21       Q.    Could you maybe describe a little bit of the

22 managerial resources that you have at Diverse?

1       A.     Primarily, I'm the only manager here. We do  
2     use consulting firms, but the board and myself  
3     primarily make up the managerial team.

4       Q.     Could you maybe talk about your experience.

5       A.     Well, yes. I've been -- I worked for --  
6     started out working for Interstate Telephone Company  
7     in Galesburg, went through a couple different name  
8     changes while I was there. I worked for them for 24  
9     years. I worked as a steel technician. I was the  
10    outside plant cable splicing supervisor for  
11    GTE/Sprint. Excuse me. I was also PBX service  
12    supervisor. I took this job in Woodhall  
13    approximately four years ago. I've been here four  
14    years in this capacity as general manager.

15      Q.     Thank you, Mr. Wirth.

16               And could you maybe describe Diverse'  
17    procedures to guard against cramming and slamming?

18      A.     Basically how we use slamming would  
19    be -- and cramping, we offer a customer an  
20    opportunity to fill out a form that allows them to  
21    be frozen and have the option of calling us or  
22    writing us a letter and then to notify us if they

1 would like to change. In fact, they have to notify  
2 us before we make that change.

3 Q. And this is more of a reminder than anything  
4 else. You understand that you must file rates and  
5 tariffs with the Commission?

6 A. Yes, we do.

7 JUDGE SAINSOT: Okay. Does staff have any  
8 recommendation at this time?

9 MS. JACKSON: Do you want to, Bob?

10 MR. KOCH: Do you want to do it?

11 MS. JACKSON: There is -- well, this is Cindy.  
12 Staff sees no reason why this application should not  
13 be granted.

14 JUDGE SAINSOT: Okay. Mr. Koch?

15 MR. KOCH: Yes. I'd add on to you, but I concur.

16 JUDGE SAINSOT: As a final matter, Mr. Smith, you  
17 need to move for leave to file the amended complaint  
18 or the amended petitions. It's been a long  
19 afternoon for me.

20 MR. SMITH: I so move.

21 JUDGE SAINSOT: Okay. Your motion is granted.  
22 The amended petition is filed.

1                   Is there anything else?

2       MR. SMITH: I have nothing further.

3       MS. JACKSON: I have nothing further.

4       MR. KOCH: No, ma'am.

5       MR. SMITH: I do not either. I appreciate it.

6       THE WITNESS: I have one. Doing this on this

7 conference call helped me with the schedule.

8       JUDGE SAINOT: Thank you, Mr. Wirth.

9                   Okay. There being nothing further, the

10 record will be marked heard and taken. Thank you

11 all. Have a nice afternoon.

12       MS. JACKSON: Thanks.

13       MR. SMITH: Thank you.

14       THE WITNESS: Bye bye.

15                   HEARD AND TAKEN.

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